



DANIEL HARRIGAN, MAYOR

## CITY OF AKRON, OHIO

*Margo Sommerville, President*

*Jeff Fusco, Vice-President*

*Mike Freeman, President Pro-Tem*

### Members of Council:

Jeff Fusco, <b>At-Large</b>	Tara Mosley, <b>Ward 5</b>
Linda Omobien, <b>At-Large</b>	Brad McKittrick, <b>Ward 6</b>
Ginger Baylor, <b>At-Large</b>	Donnie Kammer, <b>Ward 7</b>
Nancy Holland, <b>Ward 1</b>	Shammas Malik, <b>Ward 8</b>
Phil Lombardo, <b>Ward 2</b>	Mike Freeman, <b>Ward 9</b>
Margo Sommerville, <b>Ward 3</b>	Sharon Connor, <b>Ward 10</b>
Russel Neal, <b>Ward 4</b>	<a href="http://www.akroncitycouncil.org">www.akroncitycouncil.org</a>

### Council Agenda for October 31, 2022

Regular Meeting held on October 24, 2022. All members were present. Minutes of the previous meeting approved. Ayes: 12, Nays: 0 (Neal abstained).

#### CONSENT AGENDA

- 1 ORDINANCE amending The Zoning Map by changing the Ordinary Industry Use District (U5, H3, A1) and Commercial Use District (U4, H3, A1 and A4) Classifications within the area bounded by E. Mill Street on the north, the existing Retail Business Use District (U3) on the west, the existing University District (UD) and State of Ohio property adjacent to the Metro Regional Transit Authority property on the east and E. Exchange Street on the south, to a Retail Business Use District (U3, H3, A3) Classification; and declaring an emergency. (3/28/2022) (Public Hearing was held April 11, 2022) (PLANNING AND ECONOMIC DEVELOPMENT)
- 2 ORDINANCE approving the sale of City-owned land located south of Copley Road between Frederick Boulevard and Nome Avenue to Goshen House Interdenominational Church; determining said property is not needed for public use; and declaring an emergency. (PLANNING AND ECONOMIC DEVELOPMENT)

#### RULES (M. Freeman, Chair)

##### FIRST READING AND REFERRED:

- 1 RESOLUTION expressing opposition to Issue 10, a proposed charter amendment that is flawed and will lead to litigation and a waste of

taxpayer dollars; reaffirming the City of Akron’s support for a future amendment to Akron’s Charter to include an independent Citizen Oversight Board and a related administrative office, related to Akron’s Police Department; and declaring an emergency. (10/24/2022)

TIME:

- 2 ORDINANCE amending and/or supplementing Title 3 “Administration,” Chapter 30 “Mayor and Council,” Section 30.11 “Limits on Noncash Monetary and In-Kind Contributions and Loans” and Section 30.12 “Limits on Cash Contributions” to increase the contribution limits for mayoral and council candidates; and declaring an emergency. (Public Hearing was held June 27, 2022. Continuation of Public Hearing was held 10/3/2022) (Substitute was offered as an amendment 10/17/2022)

#### **BUDGET & FINANCE (M. Freeman, Chair)**

NO ITEMS

#### **PLANNING & ECONOMIC DEVELOPMENT (J. Fusco, Chair)**

FIRST READING AND REFERRED: UP FOR PUBLIC HEARING  
OCTOBER 31, 2022:

- 1 RESOLUTION adopting the 2023 Capital Investment and Community Development Program, legally referred to as the Capital Investment Budget; and declaring an emergency. (10/24/2022)

FIRST READING AND REFERRED: UP FOR PUBLIC HEARING  
NOVEMBER 7, 2022:

- 2 ORDINANCE authorizing a Conditional Use to construct an automated car wash facility on George Washington Boulevard, south of E. Waterloo Road; and declaring an emergency. (10/24/2022)
- 3 ORDINANCE authorizing a Conditional Use to construct a Starbucks on E. Waterloo Road, east of George Washington Boulevard; and declaring an emergency. (10/24/2022)

FIRST READING AND REFERRED: UP FOR PUBLIC HEARING  
NOVEMBER 14, 2022:

- 4 ORDINANCE authorizing a Conditional Use to construct a collision repair center at 1535 Vernon Odom Boulevard; and declaring an emergency. (10/24/2022)

- 5        ORDINANCE authorizing a Conditional Use to construct an oversized garage at 845 Chinook Avenue; and declaring an emergency. (10/24/2022)

FIRST READING AND REFERRED: UP FOR PUBLIC HEARING  
NOVEMBER 21, 2022

- 6        ORDINANCE authorizing a Conditional Use to place an oversized internally illuminated EMC sign at 1350 Virginia Avenue; and declaring an emergency. (10/24/2022)
- 7        ORDINANCE authorizing a Conditional Use to establish an emergency youth shelter at 845 Crouse Street; and declaring an emergency. (10/24/2022)
- 8        ORDINANCE authorizing a Conditional Use to establish a Type A daycare at 899 Baird Street; and declaring an emergency. (10/24/2022)

FIRST READING AND REFERRED:

- 9        ORDINANCE approving the sale of City-owned land located east of Rhodes Avenue, west of Bell Street, and south of South Maple Street to K. Hovnanian Ohio Operations, LLC; determining said property is not needed for public use; and declaring an emergency. (10/24/2022)

TIME:

- 10       D-560 Petition of LKQ Midwest for a Conditional Use to expand an auto salvage business at 1480 E. Archwood Avenue (PC-2022-55-CU)
- 11       D-561 Petition of St. Paul Missionary Baptist Church for a Conditional Use to place an oversized internally illuminated EMC sign at 1350 Virginia Avenue (PC-2022-59-CU)
- 12       D-562 Petition of Harmony House for a Conditional Use to establish an emergency youth shelter at 845 Crouse Street (PC-2022-60-CU)
- 13       D-563 Petition of Shaquela Mahdee-Moore for a Conditional Use to establish a Type A daycare center at 899 Baird Street (PC-2022-61-CU)
- 14       D-564 Petition of GetGo Portfolio II, LP for a Conditional Use to construct an automated car wash facility on George Washington Boulevard, south of E. Waterloo Road (PC-2022-62-CU)
- 15       D-565 Petition of Butterfli Holdings 033, LLC, for a Conditional Use to construct a Starbucks on E. Waterloo Road, east of George Washington

Boulevard (PC-2022-63-CU)

- 16 D-566 Petition of Summit Toyota for a Conditional Use to construct a collision repair center at 1535 Vernon Odom Boulevard (PC-2022-64-CU)
- 17 D-567 Petition of Jason Mayfield for a Condition Use to construct an oversized garage at 845 Chinook Avenue (PC-2022-65-CU)
- 18 ORDINANCE authorizing a Conditional Use to expand a business at 745 E. Archwood Avenue; and declaring an emergency. (9/12/2022) (Public Hearing was held 10/3/2022)
- 19 ORDINANCE authorizing a Conditional Use to establish a Type A daycare home at 2235 Yerrick Circle; and declaring an emergency. (9/12/2022) (Public Hearing was held 9/19/2022)
- 20 D-534 Petition of RVR Realty & Investment for a Conditional Use to expand a business at 745 E. Archwood Avenue (9/12/2022)
- 21 ORDINANCE amending and/or supplementing Title 11 “Business Regulations,” Chapter 111 “Regulations Governing Specific Businesses” to enact Article 37 as “Short-term Rentals” to create procedures for the registration, regulation, fees, and enforcement of short-term rentals in the City; and declaring an emergency. (7/11/2022) (Substitute was offered as an amendment 10/3/2022) (Substitute was offered as an amendment 10/17/2022)
- 22 D-519 Petition of Teonka Pickett for a Conditional Use to establish a Type A daycare home at 2235 Yerrick Circle (PC-2022-37-CU)
- 23 D-500 Petition of Ramon Hernandez for a Conditional Use to establish a short-term rental at 1764 Thornapple Avenue. (6/6/2022)
- 24 ORDINANCE creating a short-term rental registration tax; amending the City’s tax code to unify all current taxes under one Chapter; and declaring an emergency. (7/11/2022)
- 25 ORDINANCE amending Title 15 “Land Usage”, Chapter 153, “Zoning Code” to reflect the enactment of the Title 15, Chapter 155 “Sign Code”; and declaring an emergency. (5/2/2022) (Public Hearing was held May 9, 2022)
- 26 ORDINANCE authorizing a Conditional Use to establish a Type A daycare home at 1363 Diagonal Road; and declaring an emergency. (12/6/21) (Public Hearing was held January 24, 2022)

- 27 D-371 Petition of Alicia Lee, for a Conditional Use to establish a Type A daycare home at 1363 Diagonal Road. (PC-2021-58-CU) (PC-2021-38-CU) (11/15/21)
- 28 ORDINANCE authorizing a Conditional Use to establish a Type A daycare home at 434 Clinton Avenue; and declaring an emergency. (Public Hearing was held 9/20/2021)
- 29 D-302 Petition of Mayamu Konneh for a Conditional Use to establish a Type A daycare home at 434 Clinton Avenue. (PC-2021-37-CU) (9/13/21)
- 30 ORDINANCE authorizing a Conditional Use to establish and construct an addition to a bed and breakfast at 814 Bloomfield Avenue; and declaring an emergency. (Public Hearing was held 9/13/21)
- 31 D-285 Petition of Louie Berrodin for a Conditional Use to establish a bed and breakfast and construct an addition at 814 Bloomfield Avenue (PC-2021-30-CU) (7/12/21)
- 32 ORDINANCE amending The Zoning Map by changing the Commercial Use District Classification (U4, H4, A5) on property located on the north side of East Exchange Street, west of South Arlington Street, and changing the Commercial Use District (U4, H2, A4 and U4, H2, A1) on property located on the east side of South Arlington Street, south of East Exchange Street, to Retail Business Use District (U3, H2, A4); and declaring an emergency. (9/14/20) (Public Hearing was held - 10/19/20)
- 33 ORDINANCE amending/supplementing Title 15, Chapter 153, “Zoning Code”, Section 153.140 “Definitions” and Section 153.310 “Business and Industry requirements” establishing a form-based Urban Overlay district for the East Market Street Corridor; and declaring an emergency. (9/14/20) (Public Hearing was held - 10/19/20)
- 34 ORDINANCE authorizing a Conditional Use to establish a retail use at 116 E. Cuyahoga Falls Avenue; and declaring an emergency. (Public Hearing was held 6/29/20)
- 35 D-45 Petition of Ngwe Tun for a Conditional Use to establish a retail use at 116 E. Cuyahoga Falls Avenue (PC-2020-09-CU) (3/16/20)
- 36 ORDINANCE authorizing a Conditional Use to construct a parking lot on the east side of W. Center Street (PN 6716587); and declaring an emergency. (Public Hearing was held October 21, 2019)

- 37 D-774 Petition of Community Action Agency for a Conditional Use to construct a parking lot and the sale of City-owned land on W. Center Street. (Parcel No. 6716587) (PC-2019-63-CU & S) (9/16/19)
- 38 ORDINANCE authorizing a Conditional Use to construct an apartment development at the corner of Mull Avenue and Crawford Road; and declaring an emergency. (Public Hearing was held 6/25/18)
- 39 D-505 Petition of Joe Blough (Elegant Homes) for a Conditional Use to construct an apartment development at the corner of Mull Avenue and Crawford Road. (PC-2018-15-CU) (6/4/18)
- 40 D-31. Petition of Lonnie Jones for a Conditional Use to establish a rooming house at 460 South Maple Street. (PC-2012-15) (4/16/12)

FILED:

- 41 D-537 Petition of Culture Retail Partners of Ohio, Inc., for a Conditional Use to establish a medical marijuana dispensary at 1568 E. Archwood Avenue (PC-2022-41-CU)
- 42 D-457 Petition of Greenview Senior Living for a Conditional Use to expand an existing assisted care facility at 327 S. Miller Road (PC-2022-12-CU)

**PUBLIC SERVICE (T. Mosley, Chair)**

NO ITEMS

**PUBLIC UTILITIES & GREEN (M. Freeman, Chair)**

NO ITEMS

**PUBLIC SAFETY (D. Kammer, Chair)**

NO ITEMS

**PARKS & RECREATION (P. Lombardo, Chair)**

NO ITEMS

**HOUSING & NEIGHBORHOOD ASSISTANCE (J. Fusco, Chair)**

NO ITEMS

**HEALTH & SOCIAL SERVICES (L. Omobien, Chair)**

NO ITEMS

**FILED**

D-568 Notice of Transfer of D2, D2x, D3, D3A Liquor Permit from Druk LLC to Geno Corp, 1677 E Market St & Patio Ward 10

D-569 Notice of Transfer of C1 C2 Liquor Permit from Diamond Retail LLC to Maharaja One Inc, 666 Carnegie Ave L, Ward 9

D-570 Notice of New C1, C2, D6 Liquor Permit to Doordash Essentials LLC, 1156 E tallmadge Ave, Ward 2

D-571 Certification of Appropriateness from Urban Design and Historic Preservation Commission for 44 E Exchange St.

**ORDINANCES & RESOLUTIONS PASSED AT PREVIOUS MEETING**

ORDINANCE NO. 285-2022 authorizing the Mayor, or his designee, to apply for a Water Pollution Control Loan Fund (WPCLF) loan, sign all documents for and enter into WPCLF agreements with the Ohio EPA and OWDA for the construction of the WRF Process Control System Replacement Project; and declaring an emergency. Vote: 13-0.

ORDINANCE NO. 286-2022 authorizing the Director of Public Service, after publicly advertising for bids, to enter into a contract or contracts for construction of the WRF Process Control System Replacement Project; and declaring an emergency. Vote: 13-0.

ORDINANCE NO. 287-2022 authorizing a Conditional Use to establish a medical marijuana dispensary at 1568 E. Archwood Avenue; and declaring an emergency. (Public hearing was held 9/26/2022). Vote: 13-0.

ORDINANCE NO. 288-2022 amending and/or supplementing Title 9 “General Provisions,” to enact Chapter 106 “Prohibition of Conversion Therapy on Minors” of the Code of Ordinances of the City of Akron to prohibit the practice of conversion therapy on minors; and declaring an emergency. Vote: 13-0.

**COMMITTEE MEETINGS**  
**Scheduled for October 31, 2022:**

1:00 P.M.	Planning & Economic Development	2:30 P.M.	Health & Social Services
1:45 P.M.	Parks & Recreation	2:45 P.M.	Public Utilities & Green
2:00 P.M.	Rules	3:00 P.M.	Budget & Finance
2:00 P.M.	Public Service	3:30 P.M.	Housing & Neighborhood Assistance
2:15 P.M.	Public Safety	4:00 P.M.	Capital Budget Review

**NEW LEGISLATION**

**RULES**

- 1        ORDINANCE amending and enacting Title 13, Chapter 136 “Offenses Against Justice and Administration,” Article 4 “Election Interference,” Section 136.30 “Definitions,” 136.31 “Election interference,” and 136.32 “Mandatory minimum for harassment, intimidation, or abuse of an election official” to provide greater protection for election officials from harassment and intimidation; and declaring an emergency.
  
- 2        RESOLUTION celebrating Akron City Council’s receipt of a Silver w3 Award for its website; acknowledging TRIAD and Council staff for their work in creating and maintaining the website; and declaring an emergency.

**BUDGET & FINANCE**

- 3        ORDINANCE authorizing the Mayor, without the formality of publicly advertising for bids, to enter into a contract or contracts with Dell Technologies, Inc. for the purchase of servers and storage equipment for the replacement and upgrade of the existing process control system at the Water Reclamation Facility; and declaring an emergency.

**PLANNING & ECONOMIC DEVELOPMENT**

- 4        ORDINANCE authorizing the execution of a development agreement with Pur Charge Holdings #1, Ltd., or its designee; providing for the acquisition, sale and redevelopment of property at 250 North Howard Street; finding such Property is not needed for any public use, and related findings; and declaring an emergency.



- 5        ORDINANCE authorizing the execution of a development agreement with Middlebury Housing, LLC, or its designee; providing for the acquisition, sale and development of property at 23 Kent Street; finding such Property is not needed for any public use, and related findings; and declaring an emergency.
- 6        RESOLUTION approving and confirming the appointment by Mayor Horrigan of Floyd Easley and Cathy Stephens, and approving and confirming the reappointment of Scott Rowland, Greg Burke, and Renee M. Nied to the Vacant Commercial or Industrial Building Appeals Board; and declaring an emergency.
- 7        ORDINANCE amending and enacting Title 15, Chapter 154 “Vacant Commercial or Industrial Building,” Section 154.04 “Vacant Commercial or Industrial Building Appeals Board,” to update the language contained therein; and declaring an emergency.

#### **PUBLIC SERVICE**

- 8        ORDINANCE authorizing the Purchasing Agent, Service Director, or their designee, after publicly advertising for bids, to enter into a contract or contracts for the demolition and removal of the former Steel Treatment Building at 655 S. Broadway Street, Akron, Ohio 44311; and declaring an emergency.
- 9        ORDINANCE authorizing the Director of Public Service, or his designee, after publicly advertising for bids, to enter into a contract or contracts for the demolition and removal of the BF Goodrich Power Plant at 538 S. Main Street, Akron, Ohio 44311; and declaring an emergency.
- 10       ORDINANCE authorizing the Purchasing Agent, Director of Public Service, or their designee, after publicly advertising for bids, to enter into a contract or contracts for the demolition and removal of the Erie Island Elementary School building at 1534 Peckham Street, Akron, Ohio 44320; and declaring an emergency.
- 11       ORDINANCE authorizing the Director of Public Service, or his designee, after publicly advertising for bids, to enter into a contract or contracts for the construction of the Rubber Bowl Redevelopment project; and declaring an emergency.
- 12       ORDINANCE authorizing the Mayor or his designee to enter into a Sponsorship Agreement with the Appalachia Ohio

Alliance for the Darby Creek – Smith Lake, Poston Addition, Bison Hollow – Phase 3, and Salt Creek Projects; and declaring an emergency.

## **PUBLIC SAFETY**

- 13      ORDINANCE amending and/or enacting Title 9 “General Provisions,” Chapter 93 “Fire Prevention,” Article 2 “Definitions,” Section 93.30 “Definitions” of the Code of Ordinances of the City of Akron; amending and/or enacting Title 9 “General Provisions,” Chapter 93 “Fire Prevention,” Article 3 “General Regulations,” Section 93.51 “Carbon monoxide detectors in new and existing residential structures” to require carbon monoxide detection devices in residential structures in the City of Akron; and declaring an emergency.
  
- 14      ORDINANCE amending and/or enacting Title 15 “Land Usage,” Chapter 150 “Environmental Health Housing Code,” Section 150.01 “Definitions,” Section 150.08 “Equipment and facilities,” and Section 150.13 “Rooming houses – Equipment and facilities” of the Code of Ordinances of the City of Akron to require carbon monoxide detectors devices in residential structures in the City of Akron; and declaring an emergency.